IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SIXTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 21801 of 2004

Between:

Guda Venkata Subramanyam,

S/o Late Chidambaraiah,
R/o R.L.Puram, Chimakurthi Mandal,

Prakasham District.

..... PETITIONER

AND

1. The Government of

Andhra Pradesh,

Revenue Department,
rep. by its Secretary,

Secretariat, Hyderabad.

2 The District Collector,

Ongole, Prakasham District.

3 The Revenue Divisional Officer,

Land Reforms Tribunal,

Ongole, Prakasham District.

4 The Mandal Revenue Officer,

Chimakurthi Mandal,

Prakasham District.

5 The Director of Mines and

Minerals, Boorgula Ramakrishna Rao Buildings,
Tank Bund Road, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction, more particularly one in the nature of Writ of Mandamus directing the respondents more particularly 4th respondent to restore the land covered by Survey No. 55/5 admeasuring Ac. 86.50 cents situated at Rajupalem Laxmipuram, Chimakurthi Mandal, Prakasham District being the land not covered under Sec. 3 (j) of the Act 1/1973 (A.P. Land Reforms (Ceiling on Agricultural Holdings) Act, 1973), to the petitioner by declaring computing and taking the said land in surrender from the petitioner as illegal, arbitrary and contrary to the provisions of Act 1/1973

Counsel for the Petitioner: MR.V.AJAYAKUMAR

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO: 21801 of 2004

ORDER:

The grievance of the petitioner is that he gave a representation to the 4th respondent-Manda Revenue Officer on 10-07-2003, for restoration of the land admeasuring ac.86.50 cts. in Survey No.55/5 of Rajupalem Laxmipuram village, Chimakurti Mandal, Prakasam District, to consider his case in accordance with law. But the 4th respondent did not consider the representation of the petitioner. Hence, the present writ petition.

2. The learned counsel for the petitioner contended that the petitioner gave a representation to the respondents, but no orders have been

passed.

3. On the other hand, the learned Government Pleader for Revenue contended that the surrender of the land in question was effected about 30 years ago and therefore, there is no possibility to restore the possession of land to the writ petitioner.

4. Without going into the merits of the case, a direction can be given to the 4th respondent to pass appropriate orders in accordance with law by considering the representation of the petitioner.

5. The writ petition, subject to the above observations, is disposed of. In the circumstances of the case, there shall be no order as to costs.

November 26, 2004

Kvr

TO

1. The Government of

Andhra Pradesh,

Revenue Department,
rep. by its Secretary,

Secretariat, Hyderabad.

2 The District Collector,

Ongole, Prakasham District.

3 The Revenue Divisional Officer,

Land Reforms Tribunal,

Ongole, Prakasham District.

4 The Mandal Revenue Officer,

Chimakurthi Mandal,

Prakasham District.

5 The Director of Mines and

Minerals, Boorgula Ramakrishna Rao Buildings,
Tank Bund Road, Hyderabad.

6. Two C.Cs. to G.P. for Revenue,

High Court Buildings,

High Court of A.P., Hyderabad, (OUT)

7 Two C.D. Copies.